

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: §
§ CASE NO. 23-40316-11
DFW BOAT SPECIALISTS, LLC, §
§
DEBTOR. § CHAPTER 11

**XL FUNDING, LLC d/B/A AXLE FUNDING f/K/A AUCTION CREDIT ENTERPRISES, LLC'S
WITNESS AND EXHIBIT LIST**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

XL Funding, LLC d/b/a AXLE Funding f/k/a Auction Credit Enterprises, LLC ("XL Funding") files this its Witness and Exhibit List for the final hearing on March 21, 2023 at 9:00 a.m., in connection with the Debtor's Emergency Motion for Authority to Use Cash Collateral [Doc. # 5], as follows:

WITNESSES

XL Funding reserves the right to call the below referenced witnesses for testimony at the trial setting including the following:

Christopher V. Arisco
Padfield & Stout, LLP
420 Throckmorton Street, Suite 1210
Fort Worth, Texas 76102
Phone: 817-338-1616
Fax: 817-338-1610

Attorney for XL Funding

Alan B. Padfield
Padfield & Stout, LLP
420 Throckmorton Street, Suite 1210
Fort Worth, Texas 76102
Phone: 817-338-1616

Fax: 817-338-1610

Attorney for XL Funding

Edward Tremblay

c/o Padfield & Stout, LLP
420 Throckmorton Street, Suite 1210
Fort Worth, Texas 76102
Phone: 817-338-1616
Fax: 817-338-1610

Representative for XL Funding

Richard Scott Gay

c/o Eric A. Liepins
Eric A. Liepins, P.C.
12770 Coit Road, Suite 850
Dallas, Texas 75251
Telephone: 972-991-5591
Facsimile: 972-991-5788

Representative for Debtor

Eric A. Liepins

Eric A. Liepins, P.C.
12770 Coit Road, Suite 850
Dallas, Texas 75251
Telephone: 972-991-5591
Facsimile: 972-991-5788

Attorney for Debtor

Any persons identified by Debtor/Defendant in his schedules, statements, or filings in the above-styled bankruptcy case or hearing testimony in his Chapter 7 case.

Other witnesses that have been identified through discovery.

XL Funding reserves the right to call any other witness designated or identified by any other party at the trial for purpose of examination at the trial and/or any rebuttal witness.

EXHIBITS

Ex. #	Description	Offered	Objection	Admitted	Disposition
XL-A	Affidavit of John Wick				
XL-B	XL Funding's Demand Promissory Note and Security Agreement dated November 2, 2022				
XL-C	XL Funding's UCC-1 financing statement filed on February 25, 2022, file number 22-0009750631				
XL-D	NextGear's Receivable Detail Report dated February 21, 2023				

XL Funding reserves the right to amend its Exhibit List and/or supplement the same. XL Funding further reserves the right to introduce any document designated by any other party in-interest, as well as any rebuttal documents.

Respectfully submitted,

PADFIELD & STOUT, LLP

420 Throckmorton Street, Suite 1210

Fort Worth, Texas 76102

Phone: 817-338-1616

Fax: 817-338-1610

/s/ Christopher V. Arisco

Alan B. Padfield

State Bar I.D. # 00784712

abp@padfieldstout.com

Christopher V. Arisco

State Bar I.D. #24064830

carisco@padfieldstout.com

Attorneys for XL Funding

CERTIFICATE OF SERVICE

The undersigned converted the foregoing document into an electronic image, via portable document format (.pdf), electronically submitted same to the Internet web portal for the Clerk of this Court utilizing the Electronic Management and Electronic Case Filing system of the Court, which has caused service, via Simple Mail Transfer Protocol (e-mail), of a Notice of Electronic Filing of this imaged document to the below-identified parties on Friday, March 17, 2023; said e-mail provides an attributable hyperlink to the document, in portable document format, except for Debtor(s), and any other entity so identified below or on the EM/ECF filing sheet, whereas in that instance such document was mailed via First Class United States Mail, to-wit:

DFW Boat Specialists, LLC 2401 Worthington Dr., Suite 106 Denton, Texas 76207 <i>Debtor</i>	Eric A. Liepins Eric A. Liepins, P.C. 12770 Coit Road, Suite 850 Dallas, Texas 75251 <i>Attorney for Debtor</i>
Mark A. Weisbart 10501 N. Central Expy., Suite 106 Dallas, Texas 75231 <i>Subchapter V Trustee</i>	United States Trustee 110 N. College Avenue, Suite 300 Tyler, Texas 75702
All those receiving ECF notification in this case and on the attached list of the twenty largest unsecured creditors.	

/s/ Christopher V. Arisco
Christopher V. Arisco

AMERICAN EXPRESS CLASSIC
GOLD CARD
PO BOX 650448
Dallas, TX 75265

American Express
Blue Business Plus
PO Box 981535
El Paso, TX 79998-1535

Axle Funding
14951 Dallas Pkwy. #200
Dallas, TX 75254

CarBucks
417 Woods Lake Rd
Greenville, SC 29607

Green Note Capital
1019 Avenue P, Suite 401
Brooklyn, NY 11223

JPMorgan Chase Bank
P.O. Box 659754
San Antonio, TX 78265

JPMorgan Chase Bank
P.O. Box 659754
San Antonio, TX 78265

National Funding
9530 Towne Centere Dr.
San Diego, CA 92121

NextGear Capital Wholesale
11799 North College Avenue
Carmel, IN 46032

WESTLAKE SERVICE INC
4751 WILSHIRE BLVD, SUITE 100
LOS ANGELES, CA 90010

20 Largest Unsecured Creditors